

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

ARMA JEAN HARRIS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:05cv633-D
)	(WO)
R.J. MECHANICAL, INC.,)	
)	
Defendant.)	

ORDER

Before the court is Plaintiff Arma Jean Harris' motion to amend complaint, filed November 15, 2005 (Doc. No. 13), in which Plaintiff seeks to join a defendant whose joinder would destroy diversity jurisdiction. In accordance with the findings issued in its memorandum opinion entered in this case on September 30, 2005 (Doc. No. 10), and having carefully examined the propriety of the joinder, the court finds that said motion is due to be granted and that this cause is due to be remanded to the State court from whence it was removed. See 28 U.S.C. § 1447(e) ("If after removal the plaintiff seeks to join additional defendants whose joinder would destroy subject matter jurisdiction, the court may deny joinder, or permit joinder and remand the action to the State court.").

Accordingly, it is CONSIDERED and ORDERED that Plaintiff's motion to amend complaint be and the same is hereby GRANTED and that this cause be and the same is hereby REMANDED to the Circuit Court of Barbour County, Alabama.

The Clerk is DIRECTED to take all steps necessary to effectuate said remand.

DONE this 15th day of November, 2005.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE